

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
JUNE 2, 1976

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, June 2, 1976 in the City Hall Council Chambers.

ROLL CALL	<p>Present: Councilmen - EHRHARDT, KATZAKIAN, PINKERTON and HUGHES(Mayor)</p> <p>Absent: Councilmen - KATNICH</p> <p>Also Present: City Manager Graves, Assistant City Manager Glenn, Public Works Director Ronsko, Community Development Director Schroeder, Assistant City Attorney C. M. Sullivan, and City Clerk Reimche.</p>
INVOCATION	<p>The invocation was given by Reverend Ernie Rogalski, Temple Baptist Church. Reverend Rogalski announced there would be a City-wide Bicentennial Worship Service to be held in the Grape Bowl July 4, 1976 at 10:00 a. m.</p>
PLEDGE	<p>Mayor Hughes led the Pledge of Allegiance to the flag.</p>
MINUTES	<p>On motion of Councilman Pinkerton, Ehrhardt second, the Minutes of May 19, 1976 were approved as written and mailed.</p>
PRESENTATION ON S. J. LOCAL HEALTH DISTRICT	<p>Mr. James Culbertson, Lodi's representative to the Board of Trustees of the San Joaquin Local Health District addressed the Council introducing Dr. A. R. Glover, M. D., President of the Board of the San Joaquin Local Health District. Dr. Glover gave a presentation regarding the history, functions and budget of the San Joaquin Local Health District and answered questions as were directed by the Council.</p>
PROCLAMATIONS	<p>Mayor Hughes presented a Proclamation concerning the "Miss Lodi Contest" and proclaimed that "Miss Lodi" shall reign over the City's planned Bicentennial activities.</p>
PLANNING COMMISSION	<p>The City Manager gave the following report of the Planning Commission meeting of May 24, 1976:</p>
ITEMS OF INTEREST	<p>The Planning Commission -</p> <ol style="list-style-type: none"> 1. Approved the request of Mrs. Erma Pond for an Amended Use Permit to increase the number

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of people in a previously ambulatory care facility from six persons to 10 persons at 1330 West Walnut Street in an area zoned R-GA, Garden Apartment-Residential.

2. Recommended to the San Joaquin County Development Committee the approval of the request of N. and D. Kaul to approve the combining of two, one-half acre residential lots on the south side of East Harney Lane, 2900 feet east of US 50-99 in an area zoned GA-5, General Agricultural for the purpose of erecting an office structure and removing the existing residential units.

COMMUNICATIONS

San Joaquin County Local Agency Formation Commission Resolution No. 278 approving the Filley Addition to the City of Lodi was received and presented by the City Clerk indicating that there was filed with LAFCO an application for annexation to the City of Lodi on May 4, 1976. The Resolution stated that it appears all of the owners of land within the territory proposed to be annexed have given their written consent to such annexation. The Petition for annexation of Uninhabited Territory signed by all property owners involved is on file in the City Clerk's office.

FILLEY ADDITION

The Resolution goes on to direct that the City Council of the City of Lodi is hereby authorized and directed to initiate annexation proceedings and to proceed without notice and hearing and without an election as provided in Section 54797.1 of the Government Code. Resolution No. 278 was passed and adopted by the San Joaquin County Local Agency Formation Commission on May 21, 1976.

Councilman Katzakian asked to abstain from the discussion and voting because of a possible conflict of interest.

RES. NO. 4203

Following discussion, on motion of Councilman Ehrhardt, Pinkerton second, the City Council adopted Resolution No. 4203 annexing the "Filley Addition" to the City of Lodi by the following vote:

Ayes: Councilmen - Ehrhardt, Pinkerton and Hughes

Noes: Councilmen - None

Abstain: Councilmen - Katzakian

Absent: Councilmen - Katnich

ABC LICENSE APPLICATION

The City Clerk presented an application for Alcoholic Beverage License for Albert G. Francis, Westside Market, 431 West Locust Street, Lodi, New License, Off Sale Beer and Wine.

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FUNDS SOLICITED
FOR POLICE DEPT.
PARTICIPATION IN
POLICE OLYMPICS

The City Clerk presented a letter which had been received from Officer Harry J. Webb of the Lodi Police Department advising the Council that the 1976 California Police Olympics are being held in San Jose August 11-15, 1976. The Olympics will include events ranging from golf, tennis to skeet, trap, and pistol competition. The letter solicited assistance towards the costs involved for Lodi Police Department participation in these olympics.

Following discussion several Council members indicated their willingness to make personal contributions towards the cost of this event, with Councilman Pinkerton volunteering to see that the necessary funds are raised through personal contributions.

RESPONSIBILITY OF
UNSUCCESSFUL
LIABILITY SUIT
COSTS QUESTIONED

Councilman Pinkerton questioned Assistant City Attorney Sullivan regarding the obligations of persons unsuccessfully bringing suit against the City having to pay the involved expenses.

RESPONSIBILITY FOR
MAINTENANCE OF
SPUR LINES
QUESTIONED

Councilman Katzakian questioned staff as to who is responsible for maintenance of spur lines located throughout the City. Discussion followed on the subject with various questions regarding the matter being posed by Council to the Staff.

LEGISLATION
RELATING TO
NUCLEAR ENERGY
SAFETY

Mayor Hughes spoke to the subject of three bills that have recently passed the State legislature and are before the Governor for signature. The bills specifically speak to the study of undergrounding of nuclear reactors to see whether the cost safety benefit is appropriate; to the question of holding up any additional licensing of plants until the reprocessing facilities are established and are ready to go to reprocess the fuel; and to the holding up of licensing of additional plants until adequate means have been defined for disposal of the waste material.

Mayor Hughes stated that it is important that everyone who has been concerned about the safety of nuclear plants and who are not totally satisfied without some steps being taken, examine these three bills to see if the subject bills would not satisfy their concerns with respect to nuclear safety.

REPORTS OF THE
CITY MANAGER

CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Ehrhardt second, were approved by Council.

Minutes of June 2, 1976, continued

CLAIMS

Claims were approved in the amount of
\$1,597,159.09.

AWARD-2-TON
DUMP TRUCK

Per report of the City Manager, bids were
received for a 2-ton Dump Truck for the Public
Works Department as follows:

<u>Bidder</u>	<u>Amount</u>	
	2-ton Dump Without Emulsion Tank	2-ton Dump With Emulsion Tank
Geweke Ford(*Heil Equipment)	\$13,893.45	\$14,651.35
Geweke Ford(*Pak-a-way Industries) (Does not meet capacity specs on hoist)	\$13,803.35	\$16,718.25
Geweke Ford(*Transportation Supply Co.)	\$14,624.85	\$16,702.45
Geweke Ford (*Superior Body Co.)	\$14,233.71	No bid
Interstate International, Inc.	\$15,504.46	No bid

*Supplier of dump bed and emulsion tank.

RES. NO. 4204

The City Manager recommended that the City
Council award the bid to the low bidder, Geweke
Ford, for the Ford dump truck chassis with dump
bed and emulsion tank to be supplied by Heil
Equipment, which bid is in the amount of \$14,651.35.

RESOLUTION NO. 4204

RESOLUTION AWARDING THE CONTRACT TO
GEWEKE FORD FOR THE FORD DUMP TRUCK
CHASSIS WITH DUMP BED AND EMULSION TANK
TO BE SUPPLIED BY HEIL EQUIPMENT COMPANY,
IN THE AMOUNT OF \$14,651.35.

City Manager Graves presented bids which had been
received for a 1,000 KVA Pad-Mount Transformer
which will be installed as an alternate supply to the
White Slough Treatment Plant as follows:

	<u>Bidder</u>	<u>Amount</u>
AWARD - 1,000 KVA PAD-MOUNT TRANSFORMER	Westinghouse Electric Supply Co.	\$6,315.48
	R-T-E Corporation	6,485.08
	Standard Transformer	7,242.98
	Consolidated Electric Distributors	7,288.56
	United Power	7,719.98
RES. NO. 4205	Valley Electric Co.	8,107.67
	Western Power Products	8,206.52

The City Manager recommended that the award be
made to the low bidder Westinghouse Electric Supply
Company of Sacramento in the amount of \$6,315.48.

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RESOLUTION NO. 4205

RESOLUTION AWARDDING THE CONTRACT FOR A 1,000 KVA PAD-MOUNT TRANSFORMER TO WESTINGHOUSE ELECTRIC SUPPLY COMPANY, THE LOW BIDDER, IN THE AMOUNT OF \$6,315.48.

FLORA ST. ST.
LIGHTING DISTRICT
ASSESSMENT
DIAGRAM APPRVD.

City Manager Graves apprised the Council that pursuant to State of California Streets and Highways Code Section 5342, the Assessment Diagram showing each parcel of land within the limits of the assessment district, the dimensions of each such lot or parcel of land and the relative location of the same to the work proposed to be done under the 1911 Improvement Act must be approved by the legislative body.

RESOLUTION NO. 4206

RES. NO. 4206

RESOLUTION APPROVING THE ASSESSMENT DIAGRAM FOR THE FLORA STREET STREET LIGHTING DISTRICT

TEMPORARY
EASEMENT GRANTED
TO DEPT. OF WATER
RESOURCES

The City Manager reported to the Council that the State of California, Department of Water Resources has excavated portions of the Peripheral Canal in the area of the White Slough property. Borrow Pit No. 7 and 8 will be adjacent to the City's existing property and the future property to be purchased from Van Ruiten. The State is requesting a temporary easement which would allow access over the City's property for the purpose of maintaining these existing borrow pits. The Department of Water Resources has indicated that they will only be requesting access once or twice a year.

COUNCIL GRANTED THE STATE OF CALIFORNIA, DEPARTMENT OF WATER RESOURCES, A TEMPORARY EASEMENT FOR ACCESS OVER THE WHITE SLOUGH PROPERTY TO MAINTAIN PORTIONS OF THE PERIPHERAL CANAL.

ABANDONED
VEHICLE ABATE-
MENT AGREEMENT
APPROVED

RES. NO. 4207

City Manager Graves presented for Council approval Abandoned Vehicle Abatement Agreement between the State of California, Department of California Highway Patrol, and the City of Lodi covering City's participation in the Abandoned Vehicle Abatement Program for the period of July 1, 1976 through June 30, 1977. As contractor, the City agrees to furnish personnel and services for the abatement of abandoned vehicles within the City and to maintain the usual records. The State will pay \$50 for each vehicle processed to an estimated 40 per year.

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Following discussion, with questions regarding the Agreement being directed by Council to the Staff, Council, on motion of Councilman Ehrhardt, Katzakian second, adopted Resolution No. 4207 approving the Agreement with the State of California, Department of the California Highway Patrol for the City's participation in the Abandoned Vehicle Abatement Program for the period of July 1, 1976 through June 30, 1977.

The City Manager apprised the Council that the Recreation and Parks Director is seeking means to reduce serious vandalism problems particularly at Lodi Lake Park. A significant amount of the vandalism occurs during the hours the park is closed to the public. The City Attorney has drafted an amendment to the Lodi Code Section 15A-5. This Section provides that no person in a park shall enter an area posted as "Closed to the Public", etc. The amendment provides that no person shall be present in any park during the days and hours the park is designated by the Director as closed. The days and hours shall be posted at the entrance to the park. This additional provision should assist in dealing with late-hour problems.

A lengthy discussion followed with questions being directed to Staff and to Assistant City Attorney Sullivan.

Mr. Ed DeBenedetti, Recreation and Parks Director, addressed the Council on the matter and answered questions as were posed by the Council.

SEC. 15A-5 OF CITY
CODE RE PARKS
ENTERING CLOSED
AREAS - AMENDED

ORD. NO. 1078
INTRODUCED

Councilman Ehrhardt then moved introduction of Ordinance No. 1078 amending City of Lodi Code Section 15A-5 to read as follows:

"Entering closed areas.

"No person shall be present in any park during the days and hours that said park is designated by the Director as closed. Such days and hours shall be posted on signs at the entrances to said park.

"Further, no person shall enter or be in an area posted as 'Closed to the Public', nor shall any person use or abet the use of any such area in violation of the posted notices".

The motion was seconded by Councilman Pinkerton and carried by the following vote:

Ayes: Councilmen - Ehrhardt, Katzakian,
Pinkerton and Hughes

Noes: Councilmen - None

Absent: Councilmen - Katnich

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Following introduction of the matter by City Manager Glaves, Council, on motion of Councilman Ehrhardt, Katzakian second, adopted Resolution No. 4208 establishing fees for various Recreational Department Programs listed as follows:

TO BECOME EFFECTIVE IMMEDIATELY

RESOLUTION
INCREASING
VARIOUS
RECREATION DEPT.
PROGRAM FEES
AND CHARGES

RES. NO. 4208

- A. Lodi Lake Parking - Sundays and Holidays \$.50
- B. Volley Ball - Men and Women
 - Men - \$25.00 + \$2.00 per player
 - Women - \$20.00 + \$2.00 per player
- C. Basketball - Men and Women
 - Men - \$60.00 + \$2.00 per player
 - Women - \$40.00 + \$2.00 per player
- D. Gymnastics - \$10.00/single per quarter
\$15.00/family per quarter

TO BECOME EFFECTIVE OCTOBER 1, 1976

- A. Swim Lessons - \$3.00 per person
- B. Swim Tickets - \$10.00 per person
\$17.50 per family
- C. Pool Rentals -
 - Blakely - Swim Only - \$10.00
 - Blakely - with food - \$25.00
 - Lodi High - Swim Only - \$30.00
- D. Softball - Men and Women
 - Fast Pitch - \$75.00 plus \$2.00 per player
 - Slow Pitch - \$65.00 plus \$2.00 per player

Additional discussion followed regarding suggested increases in charges or areas which do not presently provide revenues, which may be considered after more study.

No further action was taken by the Council.

RESOLUTIONS
AUTHORIZING &
DIRECTING
CONDEMNATION OF
REAL PROPERTY
FOR SEWER
FACILITIES
INCLUDED IN E.D.A.
GRANT

RES. NO. 4209
RES. NO. 4210
RES. NO. 4211
RES. NO. 4212
RES. NO. 4213

Following introduction of the matter by Staff, on motion of Councilman Katzakian, Ehrhardt second, Council adopted Resolution No. 4209 authorizing and directing condemnation of real property belonging to Eugene and Marlene Neuharth for sewer facilities included in the E.D.A. Grant and located in the area of South Stockton Street.

On motion of Councilman Katzakian, Ehrhardt second, Council adopted Resolution No. 4210 authorizing and directing condemnation of real property belonging to Rebecca Bangs for sewer facilities included in the E.D.A. Grant and located in the area of the future extension of Century Boulevard.

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On motion of Councilman Katzakian, Ehrhardt second, Council adopted Resolution No. 4211 authorizing and directing condemnation of real property belonging to Harry Albert Miller for sewer facilities included in the E.D.A. Grant and located in the area of the future extension of Century Boulevard.

On motion of Councilman Katzakian, Ehrhardt second, Council adopted Resolution No. 4212 authorizing and directing condemnation of real property belonging to Towne, Wilson, Focacci, et al for sewer facilities included in the E.D.A. Grant and located in the area of Beckman Road.

On motion of Councilman Katzakian, Ehrhardt second, Council adopted Resolution No. 4213 authorizing and directing condemnation of real property belonging to Orrin David Kettleman and Gertrude M. Kettleman for sewer facilities included in the E.D.A. Grant and located in the area of Beckman Road.

COUNCIL RECEIVES TRAFFIC SIGNAL STUDY

Public Works Director Ronsko presented for Council's scrutiny a report on traffic signal warrants and priorities for a number of high traffic volume intersections within the City. Mr. Ronsko reported that the study reflects that the four intersections warranting signalization and in order of priority are:

1. Kettleman Lane and Ham Lane
2. Ham Lane and Lockeford Street
3. Kettleman Lane and Church Street
4. Cherokee Lane and Lockeford Street

Mr. Ronsko stated that the priorities were based essentially on vehicular volumes and accident frequency and can be subject to changes if the City finds it advantageous to install signals at one intersection ahead of another. Discussion followed, with questions regarding the study being directed to Staff by the Council.

INFORMATION REQUESTED RE REMOVAL OF LODI AVE. MEDIANS

Councilman Pinkerton requested a Staff report on how long it has been since the medians have been removed on Lodi Avenue and how many accidents have occurred as a result of their removal.

Public Works Director Ronsko responded that his Department is presently preparing a Study on this matter and that the study should be ready for presentation to the Council at the next regular Council meeting.

RECESS

The Mayor declared a five-minute recess and the Council reconvened at 10:15 p.m.

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1976-77 BUDGET

The recommended 1976-77 Budget was presented to the Council. Assistant City Manager Glenn pointed out that the proposed Operating Budget totals \$12,080,390 which is an increase of \$450,815 over the 1975-76 budget of \$11,629,575, an increase of only 3.9%. Estimated operating revenues are \$12,075,730. Additional explanation of the recommended budget by the Assistant City Manager followed, with discussion and questions being raised by the Council. No action was taken by the Council on the proposed budget at this meeting.

KOFU PARK LIGHT QUESTION POSED

Councilman Ehrhardt questioned Staff regarding the lights in the Kofu Park area.

ORDINANCES

REZONE PARCEL AT S/E CORNER OF LOWER SACTO. ROAD AND FUTURE EXT. OF W. VINE C-P & PARCEL AT S. SIDE OF W. VINE, W. OF WID CANAL R-1

ORDINANCE NO. 1073 entitled "AN ORDINANCE PREZONING AN APPROXIMATELY 4-ACRE PARCEL AT THE SOUTHEAST CORNER OF LOWER SACRAMENTO ROAD AND THE FUTURE EXTENSION OF WEST VINE STREET C-P, COMMERCIAL-PROFESSIONAL AND AN APPROXIMATE 15-ACRE PARCEL ON THE SOUTH SIDE OF THE FUTURE EXTENSION OF WEST VINE STREET, WEST OF THE WOODBRIDGE IRRIGATION CANAL, R-1, SINGLE FAMILY RESIDENTIAL" having been introduced at a regular meeting held on May 19, 1976 was brought up for passage on motion of Councilman Ehrhardt, Pinkerton second. Second reading was omitted after reading by title and the ordinance was then passed, adopted, and ordered to print by the following vote:

ORD. NO. 1073
ADOPTED

Ayes: Councilmen - EHRHARDT, KATZAKIAN,
PINKERTON and HUGHES

In Motion of June 14, 1976 Amending title of Ordinance 1073 as

Noes: Councilmen - None

Absent: Councilmen - KATNICH

SPEED LIMIT ESTABLISHED ON LOWER SACTO RD FROM TURNER TO 600' S. OF TURNER RD AT 45 MPH

ORDINANCE NO. 1074 entitled "AN ORDINANCE AMENDING SECTION 14-21.1 OF THE CODE OF THE CITY OF LODI ENTITLED 'DECREASING STATE SPEED LIMIT ON CERTAIN STREETS', AND THEREBY DECREASING THE STATE SPEED LIMIT ON LOWER SACRAMENTO ROAD", having been introduced at a regular meeting held on May 19, 1976 was brought up for passage on motion of Councilman Ehrhardt, Pinkerton second. Second reading was omitted after reading by title and the ordinance was then passed, adopted, and ordered to print by the following vote:

ORD. NO. 1074
ADOPTED

Ayes: Councilmen - EHRHARDT, KATZAKIAN,
PINKERTON and HUGHES

Noes: Councilmen - None

Absent: Councilmen - KATNICH

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SEWAGE, STORM
WATER &
INDUSTRIAL WASTES
REMOVAL RATE
INCREASES

ORD. NO. 1075
ADOPTED

ORDINANCE NO. 1075 (URGENCY MEASURE) entitled "AN ORDINANCE AMENDING SECTIONS 20-2, 20-3 and 20-4 OF THE CODE OF THE CITY OF LODI AND THEREBY PROVIDING FOR AN INCREASE IN THE RATES TO BE CHARGED FOR SEWAGE, STORM WATER AND INDUSTRIAL WASTES REMOVAL" having been introduced at a regular meeting held on May 19, 1976 was brought up for passage on motion of Councilman Ehrhardt, Pinkerton second. Second reading was omitted after reading by title and the ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - EHRHARDT, KATZAKIAN,
PINKERTON and HUGHES

Noes: Councilmen - None

Absent: Councilmen - KATNICH

WATER SERVICE
RATES
INCREASED

ORD. NO. 1076
ADOPTED

ORDINANCE NO. 1076 (URGENCY MEASURE) entitled "AN ORDINANCE AMENDING SECTION 26-1, 26-1(a), and 26-1(b) OF THE CITY CODE THEREBY PROVIDING FOR AN INCREASE IN THE RATES TO BE CHARGED FOR WATER SERVICE" having been introduced at a regular meeting held on May 19, 1976 was brought up for passage on motion of Councilman Ehrhardt, Pinkerton second. Second reading was omitted after reading by title and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - EHRHARDT, KATZAKIAN,
PINKERTON and HUGHES

Noes: Councilmen - None

Absent: Councilmen - KATNICH

PENALTY FOR
PARKING METER
VIOLATIONS IN-
CREASED

ORD. NO. 1077
ADOPTED

ORDINANCE NO. 1077 entitled "AN ORDINANCE AMENDING SECTION 14-84(c) OF THE CITY CODE INCREASING THE AMOUNT OF THE PENALTY FOR A PARKING METER VIOLATION" having been introduced at a regular meeting held on May 19, 1976 was brought up for passage on motion of Councilman Ehrhardt, Pinkerton second. Second reading was omitted after reading by title and the ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - EHRHARDT, KATZAKIAN,
PINKERTON and HUGHES

Noes: Councilmen - None

Absent: Councilmen - KATNICH

Minutes of June 2, 1976, continued

ADJOURNMENT

There being no further business to come before the Council, Mayor Hughes adjourned the meeting at approximately 10:45 p.m. on motion of Councilman Ehrhardt, Katzakian second.


Attest: ALICE M. REIMCHE
City Clerk